



112801

Attachment II
Hooker Chemical/Ruco Polymer Superfund Site
Hicksville, Nassau County, New York

General ARARs

40 CFR 50 National Ambient Air Quality Standards

§50.6 Particulate Matter

- (a) 150 $\mu\text{g}/\text{m}^3$ for a 24 hour average concentration.
- (b) 50 $\mu\text{g}/\text{m}^3$ for an annual arithmetic mean.

6NYCRR Part 211 General Prohibitions

§ 211.2 Air pollution prohibited. No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, mist, gas, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

§ 211.3 Visible emissions limited. Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall allow or permit any air contamination source to emit any material having an opacity equal to or greater than 20 percent (6 minute average) except for one continuous 6-minute period per hour of not more than 57 percent opacity.

6NYCRR Part 256 Air Quality Classifications System

§ 256.1 Classification levels. Four general levels of social and economic development and pollution potentials exist in the State. The land uses associated with the classification levels assigned to geographical areas of the State are outlined broadly as follows:

- Level I* - predominantly used for timber, agricultural crops, dairy farming, or recreation. Habitation and industry sparse.
- Level II* - predominantly single and two family residences, small farms, and limited commercial services and industrial development.
- Level III* - densely populated, primarily commercial office buildings, department stores and light industries in small and medium metropolitan complexes, or suburban areas of limited commercial and industrial development near large metropolitan complexes.
- Level IV* - densely populated, primarily commercial office buildings, department stores and industries in large metropolitan complexes, or areas of heavy industry.

6NYCRR Part 257 Air Quality Standards

§ 257-3 Particulates

3.3 Standard for suspended particles.

(a) 24-hour standard. For any 24-hour period, the average concentration shall not exceed 250 $\mu\text{g}/\text{m}^3$ more than once a year.

(b) Annual standard. During any twelve consecutive months, the geometric mean of the 24-hour average concentrations shall not exceed:

Level I	45 $\mu\text{g}/\text{m}^3$	Level III	65 $\mu\text{g}/\text{m}^3$
Level II	55 $\mu\text{g}/\text{m}^3$	Level IV	75 $\mu\text{g}/\text{m}^3$

(c) 30 day standard. During any 30 consecutive days, the arithmetic mean of the 24-hour average concentrations, at any location, shall not exceed:

Level I	80 $\mu\text{g}/\text{m}^3$	Level III	115 $\mu\text{g}/\text{m}^3$
Level II	100 $\mu\text{g}/\text{m}^3$	Level IV	135 $\mu\text{g}/\text{m}^3$

(d) 60 day standard. During any consecutive 60 days, the arithmetic mean of the 24-hour average concentrations, at any location, shall not exceed:

Level I	70 $\mu\text{g}/\text{m}^3$	Level III	95 $\mu\text{g}/\text{m}^3$
Level II	85 $\mu\text{g}/\text{m}^3$	Level IV	115 $\mu\text{g}/\text{m}^3$

(e) 90 day standard. During any consecutive 90 days, the arithmetic mean of the 24-hour average

concentrations, at any location, shall not exceed:

Level I	65 $\mu\text{g}/\text{m}^3$	Level III	90 $\mu\text{g}/\text{m}^3$
Level II	80 $\mu\text{g}/\text{m}^3$	Level IV	105 $\mu\text{g}/\text{m}^3$

3.4 Standard for settleable particles.

(a) During any 12 consecutive months, 50 percent of the values of the 30 day average concentrations shall not exceed:

Level I	0.30 $\text{mg}/\text{cm}^2/\text{mo}$	Level III	0.40 $\text{mg}/\text{cm}^2/\text{mo}$
Level II	0.30 $\text{mg}/\text{cm}^2/\text{mo}$	Level IV	0.60 $\text{mg}/\text{cm}^2/\text{mo}$

(b) During any 12 consecutive months, 84 percent of the values of the 30 day average concentrations shall not exceed:

Level I	0.45 $\text{mg}/\text{cm}^2/\text{mo}$	Level III	0.60 $\text{mg}/\text{cm}^2/\text{mo}$
Level II	0.45 $\text{mg}/\text{cm}^2/\text{mo}$	Level IV	0.90 $\text{mg}/\text{cm}^2/\text{mo}$

Substantive Permitting Requirements

Part 201 Permits and Certificates

§ 201.2 Prohibitions.

(a) No person shall commence construction of an air contamination source or proceed with a modification without going through a permit equivalency process.

(d) A person who owns or operates an air contamination source shall construct, modify, test, install, and operate such source in accordance with all the conditions of the permit equivalency.

Capping, Excavation and Fugitive Dust ARARs

40 CFR 264 RCRA Standards

§264.251 Design and operating requirements.

(f) If any hazardous waste pile contains particulate matter which may be subject to wind dispersal, the owner or operator must cover or otherwise manage the pile to control wind dispersal.

§264.254 Monitoring and Inspection

(a) During construction or installation cover systems must be inspected for uniformity, damage, and imperfections (e.g., holes, cracks, thin spots, or foreign materials). Immediately after construction or installation:

(1) Synthetic covers must be inspected to ensure tight seams and joints and the absence of tears, punctures, or blisters.

(b) While a waste pile is in operation, it must be inspected weekly and after storms to detect evidence of:

(2) Proper functioning of wind dispersal control systems.

6NYCRR Part 373 Final Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities

§ 2.14 Secure Landburial Facilities

(c) Design and operating requirements

(9) If the landfill contains any particulate matter which may be subject to wind dispersal, the owner or operator must cover or otherwise manage the landfill to control wind dispersal.

To Be Considered:

Commonwealth of Puerto Rico Environmental Quality Board Regulation

Rule 404: Fugitive Dust

A) No person shall cause or permit any materials to be handled, transported, or stored without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, but not be limited to, the following:

1. The use of water or suitable chemicals for the control of dust in the demolition of existing buildings, construction operations, the grading of roads or the clearing of land;
2. The application of asphalt, water, or suitable chemicals on dirt roads or roads under construction, materials, stockpiles, and other surfaces which can give rise to airborne dust;
4. The covering, at all times when in motion, of open bodied trucks transporting materials likely to give rise to airborne dust;

B) No person shall cause or permit the discharge of visible emissions of fugitive dust beyond the boundary line of the property on which the emissions originate.

Part 212 General Process Emission Sources

§ 212.1 Determination of an environmental rating

When an application is made for a permit equivalency to construct or operate a process emission source, the NYSDEC or the EPA will issue an environmental rating for each air contaminant from each emission point in accordance with Table 1 (see the full text of this part for the tables) of this part.

§ 212.3 Emissions from new emissions sources and/or modifications.

Emissions from any process emission source for which an application for a permit equivalency is received are restricted as follows:

- (a) No person will cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3 or Table 4 of this Part for the environmental rating issued; or
- (b) For gases and liquid particulates with an environmental rating of A, B, or C, and for solid particulates with an environmental rating of A, where the emission rate potential is not shown in Table 2, the permissible emission rate shall be specified by the NYSDEC or the EPA; or
- (c) In instances where the determination of permissible emission rate using process weight is not applicable (see Table 5) and for an environmental rating of B or C no person will cause or allow emissions of solid particles that exceed 0.05 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

§ 212.4 Determining applicable emissions standards.

- (a) Where air contaminants from two or more devices or contrivances are emitted to the outdoor atmosphere through a single emission point, the permissible emission rate or degree of air cleaning required is determined by using the sum of the process weights or emission rate potentials for all such devices or contrivances.
- (b) Where air contaminants from a single device or contrivance are emitted to the outdoor atmosphere through more than one emission point, the sum of the emissions from all such emission points shall not exceed the quantity that would be permitted if said emissions were through a single emission point.
- (c) Where air contaminants from two or more devices or contrivances are emitted to the outdoor atmosphere, through a single emission point and the applicable emission standard for one or more of such devices or contrivances if vented separately to the outdoor atmosphere is a concentration standard (grains per standard cubic foot), the permissible emission rate through such emission point shall not exceed the quantity that would be allowed if said emissions were through separate emission points.
- (d) Where a source owner can demonstrate to the satisfaction of the NYSDEC or the EPA that he will apply best available control technology, the NYSDEC or EPA may specify a less restrictive permissible emission rate, emission standard or degree of air cleaning for such source than required under this Part provided that the less restrictive requirement is equivalent to that which can be achieved through the application of Best Available Control Technology.

§ 212.5 Opacity of emissions limited.

- (a) No person will cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water.